

Message Text

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P 112143Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY BONN PRIORITY
USMISSION USBERLIN PRIORITY

C O N F I D E N T I A L STATE 120684

E.O. 11652:GDS

TAGS: PGOV, BQG, AKB, PORS

SUBJECT: REQUEST TO PERMIT ARMING OF PROSECUTORS AND
JUDGES AT LORENZ KIDNAPPING TRIAL IN BERLIN

REF: A) BONN 8474; B) USBERLIN 1094; C) USBERLIN 934;
D) USBERLIN 1065

1. DEPARTMENT BELIEVES THAT JUDGES AND PROSECUTORS
IN TERRORIST TRIALS IN BERLIN WHO WISH TO CARRY ARMS
SHOULD BE PERMITTED TO DO SO. IN VIEW OF THE VERY
REAL THREAT AND THE FACT THAT LEGAL OFFICIALS IN THE
FRG AND AT LEAST ONE ALLIED COUNTRY ARE PERMITTED
TO HAVE WEAPONS, WE SHOULD NOT BE IN THE POSITION
OF CONTINUING TO DENY REQUESTS THAT THE PEOPLE MOST AT
RISK IN BERLIN BE ALLOWED TO DO SO AS WELL. WE AGREE
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WITH THE CONCLUSIONS OF THE EMBASSY AND-THE MISSION
THAT ACC LAW NO. 2, WHICH ALLOWS THE ISSUANCE OF ARMS
TO OFFICIALS, IS BROAD ENOUGH TO COVER THOSE PERSONS
MOST ENDANGERED AT THE PRESENT WITHOUT REQUIRING
AMENDMENT.

2. WE DOUBT THAT IT WOULD BE NECESSARY TO ESTABLISH

ELABORATE PROCEDURES TO CONTROL ARMS ISSUED TO THIS CATEGORY OF PERSONS. WE WOULD FAVOR APPROACHING THE PROBLEM ALONG THE LINES SUGGESTED IN REF B CHARGING AN ALREADY EXISTING INTER-ALLIED GROUP, SUCH AS THE PUBLIC SAFETY ADVISORS' COMMITTEE, WITH PROVIDING ALLIED SUPERVISION. WE WOULD CONSIDER IT REASONABLE AND PRUDENT TO REQUIRE THAT PERSONS REQUESTING ARMS RECEIVE TRAINING FROM THE POLICE AND THAT THE POLICE PROVIDE AND CONTROL THE WEAPONS TO BE USED.

3. WE ARE NOT PERSUADED THAT THE WESTERN POSITION ON DEMILITARIZATION OF BERLIN WOULD BE SERIOUSLY COMPROMISED BY ACTING IN THIS VERY LIMITED AREA OR THAT WE WOULD ENCOUNTER SERIOUS OBJECTIONS FROM THE SOVIETS. ON THE OTHER HAND, AS THE MISSION POINTS OUT IN PARAGRAPH 5 OF REF C, THE ALLIES WILL BE IN A VERY EMBARRASSING POSITION IF WE CONTINUE TO DENY THIS EXTRA MEASURE OF PROTECTION TO PERSONS WHO ARE DEALING WITH A VERY SERIOUS PROBLEM IN WHICH WE ARE DIRECTLY INTERESTED AND RESPONSIBLE AND ONE OF THEM IS ATTACKED BY TERRORISTS.

4. EMBASSY BONN SHOULD PROCEED WITH ITS ATTEMPT TO OBTAIN AGREEMENT TO THIS COURSE OF ACTION WITH THE FRENCH AND BRITISH BONN GROUP REPRESENTATIVES. IF
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WE ARE UNABLE TO RESOLVE THE QUESTION BEFORE THE END OF MAY, WE SHOULD CONSIDER THE ADVISABILITY OF RAISING IT IN OTHER FORA INCLUDING THE MEETING OF POLITICAL DIRECTORS ON MAY 29. VANCE

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